

REMARKS

This is intended as a full and complete response to the Final Office Action dated December 02, 2004, having a shortened statutory period for response set to expire on March 02, 2004.

Claims 1 and 15 are currently amended in the Application

Claims 1 and 3-17 are pending in the Application.

I. Disclosure Objections

The Office Action stated that the disclosure was objected to because the status of the parent application had not been updated. Application hereby amends the disclosure located in Paragraph [0002] of the Application as Filed to recite that the parent application issued as U.S. Patent Number 6,660,308, on December 9, 2003.

Applicant believes that no new matter has been added with this amendment.

II. Claim Rejections, 35 USC §112

The Office Action rejected Claims 1 and 3-17 under 35 USC 112 as failing to comply with the written description requirement. Application hereby amends Specification, specifically Paragraph [0002], to recite "sodium caseinate protein". Sodium caseinate protein was included in the original application in Claim 2 and was incorporated into Claim 1 in a previous paper.

Applicant amends Claim 1 to correct the spelling of the term "caseinate".

Claims 3-17 are claims dependant on independent Claims 1. Applicant believes that the amendments to Specification overcome the 35 USC 112 rejection on Claims 3-17.

Reconsideration of Claims 1 and 3-17 of the application in view of the amendment is respectfully requested.

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Applicant believes that no new matter has been added with this amendment.

The Office Action rejected Claim 15 under 35 USC 112 as being indefinite for failing to point out particularly and claim distinctly the claimed subject matter. Applicant has amended Claim 15 to recite the claim as an independent claim and include all of the limitations of Claim 1.

Reconsideration of Claim 15 of the application in view of the amendment is respectfully requested.

Applicant believes that no new matter has been added with this amendment.

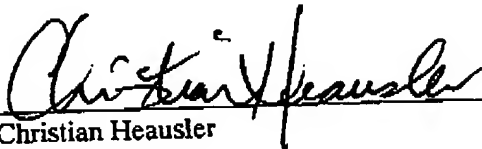
Applicant believes that these amendments reflect the agreed upon amendments discussed in a telephone conversation between Examiner Elli Peselev and Mr. Christian Heausler on January 10, 2005.

Applicant appreciates the Examiner's time and patience concerning this matter.

Respectfully submitted,

Date:

1/10/05


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